

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MARC ELLIOT,

Plaintiff,

v.

HBO HOME ENTERTAINMENT CORP., a Delaware Corporation; JEHANE NOUJAIME, an individual; KARIM AMER, an individual; THE OTHRS, LLC, a Florida limited liability company; THE OTHRS LICENSING CORP., a Florida corporation; THE SQUARE, LLC, a New York limited liability company; ISABELLA CONSTANTINO, an individual; JOHN DOES 1-10,

Defendants.

Case No. 4:23-cv-01611-SEP

DECLARATION OF ISABELLA CONSTANTINO

I, Isabella Constantino, hereby declare, under penalty of perjury, as follows:

1. I respectfully submit this declaration in support of Defendants' motion to dismiss for lack of personal jurisdiction pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure and for improper venue pursuant to Rule 12(b)(3).
2. I live in Buffalo, New York.
3. I first met Plaintiff Marc Elliot in 2014.
4. I eventually went to live in Albany, New York, where NXIVM was headquartered, to receive treatment for Tourette's Syndrome by Mr. Elliot and other members of NXIVM.
5. I left NXIVM in late 2017 after learning of disturbing accusations against its leadership.

6. In the days after I left NXIVM, I received calls and messages from a number of the organization's members, including Mr. Elliot. One of Mr. Elliot's calls with me is depicted in Season 2, Episode 3 of *The Vow*. I permitted that call to be recorded by a film crew for use in the series.

7. At the time the call was recorded, both Mr. Elliot and I were located in New York State.

8. For the entire time I was in contact with Mr. Elliot, he lived in New York State.

9. I have not been in contact with Mr. Elliot in approximately five years.

10. I do not know where Mr. Elliot lived after the call was recorded or at the time Season 2 of *The Vow* was released. If he lived in Missouri, I was not aware of it.

11. I have never been to Missouri.

12. To my knowledge, I had no dealings with any people or entities in Missouri in connection with my participation in *The Vow*.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Executed: Jan. 11, 2024



Isabella Constantino